IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4243 OF 2006

Kantilal Devjibhai Patel .. Applicant

Versus

State of Maharashtra .. Respondent

Mr.Vijay Garg with R.G.Sheth & Co. for applicant

Mr.S.S.Pednekar, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 11th December 2006

P.C.

. Heard Mr.Garg for applicant and Mr.Pednekar, A.P.P. for State.

2. Perused the application and annexures thereto. All that is alleged against the applicant is that he was Director of the Coop.society. Beyond alleging that he is responsible for the sanction and disbursement of loans and advances, nothing is alleged as far as any personal recovery nor a specific role with regard to sanction of loan to a particular individual or entity. The allegations pertain to general responsibility as a Director. In such circumstances and facts peculiar to the applicant, he deserves pre-arrest bail. Hence, following order:-

i) In the event of the arrest of the applicant in connection with C.R.No.271 of 2006 registered with Panchavati Police Station, (now transferred to EOW, Crime Branch, Nashik) the applicant shall be enlarged on bail in the sum of Rs.50,000/- with one or two sureties in

the like amount.

ii) The bail is granted subject to condition that the applicant to forthwith surrender his passport, if any, to the I.O. Applicant shall not leave Nashik city without prior permission of trial court. The applicant shall report to E.O.W.Crime Branch, Nashik once a week on every Monday between 11.00 a.m. and 1.00 p.m. till the charge sheet is filed and thereafter as directed by the trial court till conclusion of trial.

iii) Bail is granted subject to condition that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of accusation against him so as to dissuade him from disclosing such facts to the

Court or to the police officer/ investigating agency. The applicant shall not tamper with the prosecution evidence.

iv) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial

v) This order will enure to the benefit of the applicant only till charge sheet is filed. Thereafter, he will be free to apply to the appropriate court for appropriate relief.

vi) Application is disposed of in above terms.

vii) The parties to act upon an

authenticated copy of this order.

(S.C.DHARMADHIKARI, J)